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	CH DIC DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
APPLICATION NO.	FILING DATE		ALOL/DCT	4612	
09/890,613	07/31/2001	Michael Bischof	4191/PCT	4012	
21553 7590 10/25/2002 FASSE PATENT ATTORNEYS, P.A. P.O. BOX 726			EXAMINER		
			EASTHOM, KARL D		
HAMPDEN, N	1E 04444-0726				
			ART UNIT	PAPER NUMBER	
			2832		
			DATE MAILED: 10/25/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.





Office Action Summary

Application No. 09/890,613 Applicant(s)

Art Unit

Bischof et al.

Office Action Summary	Examiner Karl Easthom	2832	
The MAILING DATE of this communication app	ears on the cover sheet with the cor	respondence add	dress
The MAILING DATE of this communication app	<u> </u>	ITUEL EDOM	
A SHORTENED STATUTORY PERIOD FOR REPLY IS A SHORTENED STATUTORY PERIOD FOR REPLY IS THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136 mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply of the period for reply is specified above, the maximum statutory period will. Failure to reply within the set or extended period for reply will, by statute, of the period patient term adjustment. See 37 CFR 1.704(b).	SET TO EXPIRE MON (a). In no event, however, may a reply be timely within the statutory minimum of thirty (30) days v apply and will expire SIX (6) MONTHS from the recause the application to become ABANDONED (3) date of this communication, even if timely filed, may be seen as a second communication, even if timely filed, may be seen as a second communication.	filed after SIX (6) MO vill be considered time nailing date of this co 5 U.S.C. § 133). ay reduce any	NTHS from the
Status 1) Responsive to communication(s) filed on	in ann final		
2a) This action is FINAL . 2b) X The Since this application is in condition for allow closed in accordance with the practice under	ils action is the stars of motters of	rosecution as t	o the merits is
pi-position of Claims		is/are pending i	n the application.
Disposition of Claims 4) \(\omega \) Claim(s) \(\frac{1-8 \text{ and } 13-16}{4} \) 4a) Of the above, claim(s)		is/are withdray	wn from consideration.
4a) Of the above, claim(s)		is/are allo	wed.
5) Claim(s)		is/are reje	ected.
Claim(s)		is/are obi	ected to.
6) Claim(s)	are subject to	restriction and	or election requirement.
8) X Claims 1-8 and 13-16	are susject		
A ligation Paners			
9) The specification is objected to by the Example 1	miner. $accepted or b) \square $	objected to by	the Examiner.
The drawing(s) filed on	n to the drawing(s) be held in abeyar	nce. See 37 CFF proved b)□ dis	R 1.85(a). Capproved by the Examiner
corrected diawings and			
The path or declaration is objected to by	THE EXAMINATION		
Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgement is made of a claim for	turing priority under 35 U.S.C. §	119(a)-(d) or	(f).
13)X Acknowledgement is made of a claim for	toreign priority arrast 9		
a) 🗓 All b) 🗌 Some* c) 🗀 Notice of:	te have been received.		
1 Certified copies of the priority docu	ments have been received in Appl	ication No	·
2. Certified copies of the priority docu	ments have been re	ceived in this N	lational Stage
the certified copies of the	(DCT Rule 17.2(a))		
application	- liet of the certified copies not in	,00	
*See the attached detailed Office action for 14) Acknowledgement is made of a claim for 14) Acknowledgement is made of a claim for 14).	or domestic priority under 35 U.S.(ر. ۱۱۵(۵).	
14) Acknowledgement is made of a claim to a) The translation of the foreign language	e provisional application has been	received.	/or 121.
a) The translation of the foreign language 15) Acknowledgement is made of a claim for	or domestic priority under 35 U.S.	C. 33 120 and	· - ·
	4) 🔲 Interview Summary (PT	O-413) Paper No(s).	
Attachment(s) 1) Notice of References Cited (PTO-892)	Interview Summary (P1 Notice of Informal Pate)	nt Application (PTO-1	52)
1) Notice of References Cited to Traving Review (PTO-948) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)		ere of the management of the contract of the c	
2) Notice of Draftsperson's Fation Discharge Statement(s) (PTO-1449) Paper No(s) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	6) Other:		

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This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Fig. 4a - Species 1; Figs. 5a-6 - Species 2; Figs. 7-10 - Species 3.

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims accompanied by an election. to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The claims are deemed to correspond to the species listed above in the following manner:

It is not clear, so that applicant must make the choice as noted above.

The following claim(s) are generic: Claim 1.

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: There appears to be no special corresponding special Application/Control Number: 09/890613

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technical feature because the only feature linking the claims, found in claim 1 is that "the heating conductor path comprises different partial heating resistances between the supply line part and the sensor tip, and the magnitude is...dependent on the spacing distance of the partial heating resistance of the heating resistance ...of the path to the sensor tip". This element is disclosed at the admitted prior art Fig. 2a where the length of the long straight part is a partial heating resistance that is different than the shorter paths. Moreover, the claim is so broad as to read on admitted prior art Fig. 1c since the length of any portion of the path can be defined to be a different portion having a different length.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl Easthom whose telephone number is (703)308-3306. The examiner can normally be reached on M-Th. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad, can be reached on (703)308-7619. The fax phone number for the organization where this application or proceeding is assigned is (703)308-7722. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

KARL D. EASTHOM PRIMARY EXAMINER